

07-30-07

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Eli BAR, et al.

Serial No.: 10/575,312

Filed: April 11, 2006

For: AMPLIFICATION-BASED CARDIAC
DEVICE

) Art Unit: (N/A)
)
) Examiner: (N/A)
)
) Washington, D.C.
)
) July 27, 2007
)
) Docket No.: TYLERTON-
228698

INFORMATION DISCLOSURE STATEMENT [IDS]

Honorable Commissioner of Patents and Trademarks
Washington, D.C. 20231

Sir:

This Information Disclosure Statement is submitted in accordance with 37 C.F.R. 1.97, 1.98, and it is requested that the information set forth in this statement and in the listed documents be considered during the pendency of the above-identified application, and any other application relying on the filing date of the above-identified application or cross-referencing it as a related application.

[X] 1. This IDS should be considered, in accordance with 37 C.F.R. 1.97, as it is filed:

(Check one of the boxes A-D)

☐ A. within three months of the filing date of the above-identified national application or within three months of the entry into the national stage of the above-identified international application.

[X] B. before the mailing date of a first office action on the merits.

☐ C. after (A) and (B) above, but before final rejection or allowance, and Applicants have made the necessary certification (box "i" below) or paid the necessary fee (box "ii" below).

(check one of the boxes "i" and "ii" below:)

☐ i. Counsel certifies that, upon information and belief, each item of information listed herein was either (a) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS; or (b) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ ii. A check for the fee set forth in 1.17(p), presently believed to be \$240, is enclosed (check no. _____).

☐ D. after (A), (B) and (C) above, but before payment of the issue fee: Applicant petitions under 37 C.F.R. 1.97(d) for the consideration of this IDS. A check for the fee set forth in §1.17(i), presently believed to be \$130 is enclosed (check no. _____). Counsel certifies that, upon information and belief, each item of information listed herein was either (i) cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the IDS; or (ii) was not cited in a communication from a foreign patent office in a counterpart foreign application and, to the knowledge of the undersigned after making reasonable inquiry, was not known to any individual designated in 1.56(c) more than three months prior to the filing of this IDS.

☐ 2. In accordance with 37 C.F.R. 1.98, this IDS includes a list (e.g., form PTO-1449) of all patents, publications, or other information submitted for consideration by the office, either incorporated into this IDS or as an attachment hereto. A copy of each document listed is attached, except as explained below.

(check boxes A and/or B and fill in blanks, if appropriate.)

☐ A. Document(s) _____ is (are) deemed substantially cumulative to document(s) _____, and, in accordance with 1.98(c), only a copy of each of the latter documents is enclosed.

☐ B. Certain documents were previously cited by or submitted to the Office in the following prior application(s), which are relied upon under 35 U.S.C. 120:

[insert serial numbers and filing dates of prior applications]

Applicant identifies these documents by attaching hereto copies of the forms PTO-892 and PTO-1449 from the files of the prior application(s) or a fresh PTO-1449 listing these documents, and request that they be considered and made of record in accordance with 1.98(d). Per 37 CFR 1.98(d), copies of these documents need not be filed in this application.

☐ 3. Documents _____ is (are) not in the English language. In accordance with 1.98(c), Applicant states:

☐ An English translation of each document _____ (or of the pertinent portions thereof), or a copy of each corresponding English-language patent or application, or English-language abstract (or claim) is enclosed.

☐ A concise explanation of the relevance of document(s) _____ is found in the attached search report (see reply to Comment 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ A concise explanation of the relevance of document(s) _____ is set forth as follows:
[Insert concise explanation of relevance]

☐ A concise explanation of the relevance of document(s) _____ can be found on page(s) _____ of the specification.

☐ A concise explanation of document(s) _____ can be found on the attached sheet.

4. No explanation of relevance is necessary for documents in the English language (see reply to Comments 67 and 68 in the preamble to the final rules; 1135 OG 13 at 20).

☐ 5. Other information being provided for the examiner's consideration follows:

6. In accordance with 37 C.F.R. 1.97(g) and (h), the filing of this IDS should not be construed as a representation that a search has been made or that information cited is, or is considered to be, material to patentability as defined in §1.56 (b), or that any cited document listed or attached is (or constitutes) prior art. Unless otherwise indicated, the date of publication indicated for an item is taken from the face of the item and Applicant reserves the right to prove that the date of publication is in fact different.

CROSS REFERENCE UNDER 37 C.F.R. §1.78 TO RELATED APPLICATIONS

Pursuant to 37 C.F.R. § 1.78, Applicant notes that the above-identified patent application may be related to the following U.S. Patent Applications:

Respectfully submitted,



July 27, 2007

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PTO/SB92 (08-00)

Approved for use through 10/31/2002. OMB 0651-0031

U. S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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Date

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Geraldine Gress

Wolf, Block, Schorr and Solis-Cohen LLP
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10th Floor
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Note: Each paper must have its own certificate of mailing, or this certificate must identify each submitted paper.

Applicant: Eli Bar, et al.
Serial No: 10/575,312
Filing Date: April 11, 2006
For: Amplification-Based Cardiac Assist Device
Enclosures: (1) Information Disclosure Statement (3 pages) w/IDS Citation (5 pages) and cited references;
(2) Acknowledgement Postcard

Burden Hour Statement: This form is estimated to take 0.03 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U. S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.



Date: July 27, 2007 Page 1 of 5

FORM PTO-1449 (Colb)	ATTY DOCKET NO. TYL006-243984	SERIAL NUMBER 10/575,312
LIST OF PATENTS AND PUBLICATIONS FOR APPLICANTS' INFORMATION STATEMENT	APPLICANT Eli BAR, et al.	EXAMINER (N/A)
	FILING DATE April 11, 2006	GROUP ART UNIT (N/A)

U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	4,731,076	03-1988	Noon, et al.			
	AB	4,925,443	05-1990	Heilman, et al.			
	AC	5,098,369	03-1992	Heilman, et al.			
	AD	5,131,905	07-1992	Grooters			
	AE	5,383,840	01-1995	Heilman, et al.			
	AF	5,558,617	09-1996	Heilman, et al.			
	AG	5,713,954	02-1998	Rosenberg, et al.			
	AH	5,800,334	09-1998	Wilk			
	AI	5,902,229	05-1999	Tsitlik, et al.			
	AJ	5,971,910	10-1999	Tsitlik, et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
	AK	EP 0583012		EUROPE			
	AL	EP 0280301		EUROPE			

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AM	U.S. Provisional Patent Application Number 60/511,548.
EXAMINER:	DATE CONSIDERED:
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

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U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	6,120,431	09-2000	Magovern, et al.			
	AB	6,206,820	03-2001	Kazi, et al.			
	AC	6,238,334	05-2001	Easterbrook, III, et al.			
	AD	6,251,061	06-2001	Hastings, et al.			
	AE	6,254,525	07-2001	Reinhardt, et al.			
	AF	6,296,605	10-2001	Michelman, et al.			
	AG	6,398,715	06-2002	Magovern, et al.			
	AH	6,508,756	01-2003	Kung, et al.			
	AI	6,540,659	01-2003	Milbocker			
	AJ	6,602,182	08-2003	Milbocker			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NO.	DATE	COUNTRY	CLASS	SUB	TRANS- LATION
	AK	WO 02/28450		WIPO			
	AL						

OTHER ART (Including Author, Bills, Pertinent Pages, Etc.)

AM	U.S. Provisional Patent Application Number 60/599,176.
EXAMINER:	DATE CONSIDERED:
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U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	6,616,596	09-2003	Milbocker			
	AB	6,626,821	09-2003	Kung, et al.			
	AC	6,123,724	09-2000	Denker			
	AD	6,099,460	08-2000	Denker			
	AE	3,464,322	09-1969	Pequignot			
	AF	5,456,715	10-1995	Liotta			
	AG	4,304,225	12-1981	Freeman			
	AH	6,616,596	09-2003	Milbocker			
	AI	3,587,567	06-1971	Schiff			
	AJ	6,406,422	06-2002	Landesberg			

FOREIGN PATENT DOCUMENTS

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	AK						
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Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	2001/0003802	06-2001	Vitale			
	AB	2001/0041821	11-2001	Wilk			
	AC	4,925,443	05-1990	Heilman, et al.			
	AD	6,572,534	06-2003	Milbocker			
	AE	4,192,293	03-1980	Asrican			
	AF	6,077,218	06-2000	Alferness			
	AG	6,126,590	10-2000	Alferness			
	AH	6,155,972	05-2000	Nauertz, et al.			
	AI	6,165,121	12-2000	Alferness			
	AJ	6,165,122	12-2000	Alferness			

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U.S. PATENT DOCUMENTS

Examiner's Initials		DOCUMENT NO.	DATE	NAME	CLASS	SUB	FILING DATE
	AA	6,375,608	04-2002	Alferness			
	AB	6,544,168	04-2003	Alferness			
	AC	6,595,912	07-2003	Lau, et al.			
	AD	6,602,184	08-2003	Lau, et al.			
	AE	6,612,978	09-2003	Lau, et al.			
	AF	6,612,979	09-2003	Lau, et al.			
	AG	6,663,558	12-2003	Lau, et al.			
	AH	6,682,474	01-2004	Lau, et al.			
	AI	6,682,475	01-2004	Cox, et al.			
	AJ	6,702,732	03-2004	Lau, et al.			

FOREIGN PATENT DOCUMENTS

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